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South Carolina House of Representatives

*Bostick*

# Legislative Update

David H. Wilkins, Speaker of the House

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No. 17

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## WEEK IN REVIEW

### HOUSE

The House discussed at length, amended, and gave third reading to H.3786 which authorizes a judge or magistrate who has obtained a permit to carry a concealable weapon anywhere while carrying out the duties of his office.

The House amended and gave third reading to H.3862 which enacts recommendations from the Governor's Juvenile Justice Task Force. The bill authorizes the Department of Juvenile Justice to establish a prison industries system. All funds collected by DJJ from the sale of articles produced in industry system must be used to defray the necessary expenses or operating the program and pay the salaries of personnel involved in the program and the wages of juveniles employed. Out of the wages paid to juveniles, the following must be deducted (with total deductions not to exceed eighty percent of gross wages): (1) state, federal and local taxes, (2) child support monies, where applicable, (3) funds for the compensation of victims, in an amount comprising no more than twenty percent and no less than five percent of gross wages. Of this victim compensation money, ninety-five percent must be used to compensate the victim(s) of the juvenile's crime and five percent must be submitted to the SC Victim's Compensation Fund. The Juvenile Parole Board is authorized to determine the conditions for parole for juveniles transferred from DJJ to another state agency due to mental illness or mental retardation requiring specialized care. Before the juvenile may be released from the agency providing appropriate care, that agency must submit a request to the Juvenile Parole Board and obtain the board's approval. The bill also authorizes the Juvenile Parole Board to conduct parole hearings via two-way closed circuit television.

The House amended and gave third reading to H.3852 which authorizes the chartering of state savings banks. An institution newly chartered as a state savings bank or an institution which converts to a state savings bank would have, as primary regulators, the State Board of Financial Institutions and the Federal Deposit Insurance Corporation (FDIC). Thrift institutions which currently operate in South Carolina under a federal charter could, through conversion to a state savings bank, escape the plenary regulatory authority of the federal Office of Thrift Supervision (OTS), which preempts all conflicting state law. The state savings bank charter is offered as an option which might enhance local control for banking resources in the midst of the trend towards consolidation and large multi-state banking conglomerates. The bill affords South Carolina savings banks parity with federal institutions in terms of investments and activities permitted.



The House gave *third reading* to several other measures:

H.3780, as amended, revises criteria for arson in the first, second, and third degree, and raises penalties for arson in the first and second degrees. The crime of arson in the second degree is expanded such that includes not simply the burning of dwelling houses and local and municipal buildings, but also the burning of a church or place of worship, an organized school building, a manufacturing plant or warehouse, a building where business is conducted, an institutional facility, or any structure designed for human occupancy. Arson in the third degree is expanded to include not only buildings, but any structure, vehicle, vessel, craft, or personal property.

H.3945, as amended, provides for a workers' compensation insurance discount of at least five percent for employers who participate in a drug prevention program designed to prevent the use of drugs or alcohol by employees on the job. The Insurance Director is authorized to set qualifications for and certify the drug prevention programs eligible for the discount. The qualifications set by the Insurance Director shall be used by the workers' compensation carrier, unless the carrier has established its own guidelines. Employees must be notified of drug prevention programs implemented by employers. Substance abuse testing and other information related to prevention programs must be confidential and is inadmissible in a criminal proceeding. Discounts must be provided in policies issued on or after October 1, 1997.

S. 236, as amended, requires counties and municipalities to adopt the latest version of national, regional, or model building codes and establishes a procedure by which a political subdivision may apply for a temporary exemption. The bill creates functions, duties, and registration for building code enforcement officers and specifies the sources of funding for implementing training, certification, and continuing education for these officers.

H.3547 eliminates the authority of clerks of court and mayors to sell confiscated or forfeited weapons by public auction. Law enforcement departments are authorized to destroy confiscated or forfeited weapons. Law enforcement departments are authorized to trade confiscated weapons with a licensed retail dealer for pistols or other equipment approved by the agency. A pistol or other handgun which has been seized for reason that it has a metal alloy frame or receiver which melts at a temperature of less than 800 degrees Fahrenheit may not be utilized by a law enforcement department, but must, instead, be destroyed or displayed after the weapon has been rendered inoperable.

H.3369, as amended, provides that an individual under the age of twenty-one who purchases or possesses alcohol as an undercover agent for state or local law enforcement must not be charged with the violation.

H.3549 authorizes local governments to make use of collection procedures for fraudulent checks when such checks are written for payment of local taxes.

S.577, as amended, this joint resolution authorizes the Department of Social Services to establish, in one region of the state, a pilot child protective services program which allows less serious cases to be diverted to an assessment track rather than following normal protocol.

**S.38**, as amended, provides that the SC Highway Patrol shall transfer the service sidearm of an active duty trooper killed in the line of duty to the trooper's surviving spouse once the sidearm has been rendered permanently inoperable.

**S.157**, as amended, amends current law concerning application of the federal *Internal Revenue Code* to State tax law by updating the reference whereby South Carolina adopts provisions of the *Internal Revenue Code of 1986*.

**S.188**, as amended, provides that if any entity participating in the state health and dental insurance plans is delinquent in remitting proper payments to cover its obligations, the Office of Insurance Services of the State Budget and Control Board shall certify the delinquency to the department or agency of the State holding funds payable to the delinquent entity, and that department or agency shall withhold from those funds an amount sufficient to satisfy the unpaid obligation.

**S.343**, as amended, provides that property being sold for delinquent taxes may be auctioned at buildings other than the courthouse and specifies that payment for the property must be by cash, cashier's check, certified check, or money order.

**S.226**, as amended, pertains to first offenses (with certain exceptions) in magistrate's or municipal court and allows an individual to have his criminal record expunged after three years (rather than the current one year) from the date of conviction even if the conviction occurred prior to June 1, 1992, the effective date of the pertinent code section.

**S.56**, as amended, provides that "Register of Mesne Conveyances" means "Register of Deeds" whenever it appears in the code. The Code Commissioner is directed to make the substitution in a timely, cost-effective manner.

**S.479**, as amended, amends several sections of the state's coastal fisheries laws.

**S.106** authorizes the Department of Natural Resources to issue permits for marine life holding and propagation facilities if the marine life is used for experimental or scientific purposes. The bill also allows horseshoe crabs to be held in facilities approved by the department.

**S.358**, as amended, amends the chapter concerning optometrists to make it conform to the statutory and administrative framework established for professional and occupational boards.

**S.359**, as amended, rewrites the practice act for long term health care administrators to make it conform to the administrative framework established for professional and occupational boards.

**S.269**, as amended, conforms the State Board of Barber Examiners statute with the uniform administrative framework established for professional and occupational licensing boards. The bill also provides that a barber licensed in another state or country with licensing requirements which meet or exceed those of this state must show proof that he has at least one year of experience (rather than the current two years) in that jurisdiction in order to obtain a certificate of registration to practice in this state.



**S.446**, as amended, relates to Regional Transportation Authorities, changing each reference of "city" to "municipality."

The House *refused to concur in Senate amendments* to:

**H.3065** which pertains to the molesting or killing bald eagles.

The House *concurred in Senate amendments* on the following bills and *enrolled them for ratification*:

**H.3135** allows an authenticated photograph of fish, game, or wildlife to be used as competent evidence of the wildlife or fish in any proceeding.

**H.3169** conforms the Real Estate Commission to the uniform administrative framework for professional and occupational licensing boards established in 1996. The bill makes various other revisions, such as expanding duties for "brokers-in-charge" and establishing minimum requirements for initial licensure as a real estate salesman.

The following bills were also *enrolled for ratification*:

**S.619** amends the SC Sales and Use Tax Act to include sales of tangible personal property to veterinarians in the definition of "retail sale." The bill provides that veterinarians are deemed to be the users or consumers of the property whether used in the rendering of professional services or sold outright as part of the veterinary practice and not furnished as a part of the professional services rendered.

**S.135** provides that property in which the occupant has an interest pursuant to an installment contract for sale with the US Department of Veterans Affairs is eligible for the assessment ratio currently provided to certain legal residences pursuant to SC Code of Laws, Section 12-43-220(c), and is eligible for general *ad valorem* property tax exemptions, the homestead exemption to taxpayers 65 or over or those totally and permanently disabled or legally blind, and the general homestead exemption provided under current law, so long as the additional requirements for these exemptions, other than the ownership requirements, are also met.

## SENATE

### 1997- 98 GENERAL APPROPRIATION BILL

The Senate spent the greater part of the week completing work on the 1997-98 General Appropriation Bill. Under *Senate Rule 24B*, any part, section, or division or any amendment to any part, section, or division of a general appropriation bill which amends, adds or repeals a portion of the general permanent laws of South Carolina may only be included upon a vote of 2/3 of the Senators present and voting. General and temporary provisions having force and effect for a fiscal year are exceptions to this rule. Part II highlights of the Senate-passed budget bill include:

Part II:

\* A proviso exempting from property tax the fair market value of all private passenger motor vehicles and trucks which are under a certain weight and are registered to an individual for personal use, with the exemption to be phased in over an eight year period;

\* A proviso creating an eight member (4 House appointees, 4 Senate appointees) committee to make a study of the reimbursement distribution issue for the residential property tax exemption and to make recommendations for a formula beginning with reimbursement distributions for the 1998 property tax year. The proviso repeals the existing formula for tax years after 1997.

\* A proviso providing an income tax deduction for citizens over age 65, phased in over five years, beginning with 1997 (\$11,500 deduction) and increasing annually to reach a maximum deduction of \$50,000 (after the year 2000).

\* A proviso establishing the SC Tuition Prepayment Program, which allows a person (the "contributor") to contract with the program for the advance payment by the contributor of undergraduate tuition at a fixed, guaranteed level for a designated beneficiary to attend a public educational institution of higher learning in South Carolina or to another educational institution of higher learning that may be included in the proviso, to which the designated beneficiary is admitted.

\* A proviso requiring that, beginning with the graduating class of school year 2000-2001, and thereafter, the number of units required for a high school diploma is increased from 20 to 24; specifies what units must be earned.

\* A proviso creating the *Palmetto Best High School Diploma*, to be awarded to high school graduates who meet certain specified criteria. Students who receive this diploma and who score a composite score of at least 1100 on the Scholastic Aptitude Test will also receive a \$500 scholarship to attend any institution of higher education in South Carolina.

\* A proviso imposing a contingent license tax on operators of licensed low-level radioactive waste disposal sites to cover shortfalls in the scholarships portion of the Children's Education Endowment Fund.

\* A proviso increasing the filing fee for civil actions by \$15 with 56% of the total fee to be remitted to the State Treasurer, and to be distributed as follows: 45.03% to the state general fund; 10.33% to the Department of Mental Health to be used for the treatment and rehabilitation of drug addicts within the department's addiction center facilities; 6.38% to the State Office of Victim Assistance; and 38.26% to the Defense of Indigents Per Capita Fund.

\* A proviso authorizing a county legislative delegation to abolish the county transportation committee and devolve its powers and duties on the governing body of the county; provides that this devolution may be reversed and the county transportation committee reestablished by a subsequent delegation resolution.



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\* A proviso stating that, for those offices which are elected in a joint assembly of the General Assembly, in order to be elected and qualified to take office, a candidate must receive a majority of the votes cast by members of the House and a majority of votes cast by members of the Senate.

\* A proviso relating to the SC Code section which provides that gambling offenses are not applicable to coin-operated nonpayout machines with a free play feature, by providing, among other things, that this provision does not prohibit regulation of these machines, including their prohibition, pursuant to the *Video Games Machines Act* and its county option provisions.

\* A proviso adding two members to the board of the Patriot's Point Development Authority - one Senator representing Charleston, Berkeley, and Dorchester Counties, and one member appointed by the Speaker of the House upon the recommendation of the members of the House of Representatives representing these counties. The proviso also requires that the Senate Finance Committee and the House Ways and Means Committee each shall conduct a study of the transfer of the powers, duties, assets, and responsibilities of the Patriot's Point Development Authority to the Department of Parks, Recreation, and Tourism and report the fiscal and other impacts of a devolvement to their respective bodies.

\* A proviso enacting the "*SC Comprehensive Infrastructure Development Act*," establishing a state program to coordinate infrastructure planning among state, regional, and local units of government, to assist in development of comprehensive regional infrastructure development plans, and identify and provide funding and financial assistance for constructing and improving infrastructure.

(NOTE: H.3665, the House-passed infrastructure legislation, was reported out favorable with amendments, with a minority unfavorable, from the Senate Transportation Committee last week. The bill, which is significantly different from the House-passed version, is on the Senate calendar for second reading.)

Other highlights of the Senate budget bill include a provision for a state employee pay increase of 2.5%, effective July 1. The House plan provides a 2% increase, effective July 16, with a maximum increase of \$1,000. Also, the Senate bill uses surplus funds to help pay for maintenance of the homeowner's property tax relief plan, which the House funded almost totally from base increases.

#### Other Senate Action

The Senate Transportation Committee reported favorable with amendment on H.3341, which provides for the issuance of special license plates for members of the Sons of Confederate Veterans. The committee's recommended amendment strikes the entirety of the bill and inserts a provision that a specialized license plate may be developed for an organization if three hundred or more applications for the license are received. The special plates may be issued only to certified members of the organizations and the plate must be issued or revalidated for a biennial period which expires 24 months from the month it is issued.

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The Senate gave third reading to H.3807, which revises the open season for taking antlered deer in Game Zones 1, 2, and 4 and provides that the Department of Natural Resources has the authority to establish the methods for hunting and taking of deer and to set restrictions on hunting and taking deer. The bill has been enrolled for ratification.

The Senate also gave third reading to S.634, which establishes the Youth Industries Program within the Department of Juvenile Justice. This bill is summarized in this issue of the *Legislative Update* under the "Bills Introduced" section (Judiciary Committee).

## COMMITTEE ACTION

### EDUCATION AND PUBLIC WORKS

The Education and Public Works Committee reported favorably on S.594. This bill provides that an authorized police patrol bicycle used as a part of a police bicycle patrol may exercise the privileges of an emergency vehicle as provided in the *Uniform Act Regulating Traffic on Highways* (Section 56-5-760, SC Code of Laws). The bill also provides that such a bicycle may be equipped with a siren or the officer may use a whistle, and that an authorized police patrol bicycle acting as an emergency vehicle is entitled to the exemptions of an authorized emergency vehicle if it meets certain requirements.

### JUDICIARY

The Judiciary Committee reported out seventeen bills.

The Committee gave a report of favorable with amendment to several bills. H.3094 makes it a felony to assault an emergency medical service provider, firefighter, or home health care provider. An amendment provides that an offense is punishable with a prison term of up to ten years and/or a fine of not less than one thousand dollars and not more than ten thousand dollars. H.3369 provides that an individual under the age of twenty-one who purchases or possesses alcohol as an undercover agent for state or local law enforcement must not be charged with the violation. S.267 raises the civil penalty (from twenty dollars to two hundred dollars) which the court must impose upon an individual who is duly drawn and summoned to attend as a juror, but who, without sufficient excuse, fails to attend. The civil penalty for unexcused nonattendance for jury duty in a magistrate's court is raised from ten dollars to two hundred dollars. Additionally, the bill enhances a magistrate's ability to punish contempt in his courtroom, authorizing him to impose fines up to five hundred dollars and imprisonment up to thirty days (currently, a maximum of twenty dollars/ twelve hours). H.3774 converts the



existing maximum time limits for imprisonment for violations of resisting a law enforcement officer into mandatory minimum sentences. The bill provides that an individual who resists a law enforcement officer while using a weapon is guilty of a felony and subject to a fine of not less than five thousand dollars and not more than twenty thousand dollars or a mandatory minimum sentence of twenty years. S.29 designates the taking of a hostage by an inmate as a violent crime, a most serious offense, and Class A, rather than a Class C, Felony.

Amendments provide that an individual convicted of assault upon a state or local corrections facility employee performing job-related duties must serve a mandatory minimum sentence of not less than six months nor more than five years (must be served consecutively to any other sentence). Amendments provide that it is a felony for an inmate to throw bodily fluids at state or local corrections personnel, punishable with up to fifteen years imprisonment (to be served consecutively). Amendments revise penalties for inmate escapes, or attempted escapes, providing a one year minimum for the prescribed prison sentence. Amendments provide that it is unlawful for the employee of a state or local corrections facility to have sexual intercourse with an inmate of that facility. H.3690 provides that canines certified to work with law enforcement officers or fire personnel must be allowed, at no additional charge, to stay overnight with such officials in public accommodations while on official business. Police and fire departments are liable for damage done by canines. Managers of places of public accommodation must receive advance notice in nonemergency situations. Those who will not allow certified canines to stay with officers are subject to a civil fine not to exceed one hundred dollars. H.3908 provides that the sale of property in instances of delinquent taxes may take place in areas in the county other than the county courthouse, and provides other specifications for notifying the current owner of record of the impending sale. H.3917 provides that public corporations may include restrictions or conditions that limit the transfer or receipt of rights, options, or warrants by the owner of a number of, or percentage of, the outstanding voting shares of the public corporation. S.340 increases the fine for filing a false tax returns for the purpose of delay, and requires award of damages by the administrative law judge rather than the circuit court for frivolous or dilatory proceedings. The bill revises penalties for supplying false withholding information to an employer and for filing of a false exemption certificate. Amendments provide that it is unlawful for a public official, public member, or public employee to examine, or aid and abet in the examination of, a tax return, a worker's compensation record, health and medical treatment records, social services records, or other such information within access of public departments or agencies, if the purpose of that examination is to obtain information about the individual unrelated to carrying out the official duties of the official, member, or employee. An individual convicted of a violation must be immediately removed from his position, fined up to five thousand dollars and/or imprisoned for up to five years, and compelled to reimburse the costs of prosecution. Amendments also prohibit the use of force or threats of force against an officer or employee of the Department of Revenue acting in the course of employment. A violation is punishable with a fine of not more than five thousand dollars and/or imprisonment of not more than five years.

The Committee gave a majority favorable with amendments, minority unfavorable report to S.381 which provides that in instances where deadlines for filing statements of intention of candidacy for primaries or notices and pledges of candidacy should fall on a Saturday, Sunday, or legal holiday, the statement, notice, or pledge must be filed on the next day which is not a Saturday, Sunday, or legal holiday.



The Committee gave favorable reports to seven other bills. H.3713 provides that alimony is terminated upon the continued cohabitation of the supported spouse. S.133 adds a solicitor or assistant solicitor to the list of individuals authorized to initiate involuntary admission of a person with mental retardation or a related disability to the Department of Disabilities and Special Needs. H.3891 provides when a deed recording fee is owed by the grantees and clarifies certain exemptions from the recording fee. H.3916 prohibits the purchase, barter, or trade of unlawfully taken marine products. Penalties are provided. H.3715, The Shooting Range Protection Act, provides restrictions on when owners of property located near a shooting range may bring nuisance actions for noise for pre-existing, newly-constructed, and restarted shooting ranges. County and municipal noise control ordinances may not restrict shooting activities on a range which was established before enactment of the ordinance or in compliance with a previous noise control ordinance. These restrictions do not apply to expansion of activity at a shooting range. H.3547 and H.3549 were also reported out of committee and passed by the full House last week.

The Committee tabled H.3844 which provides that employees of the Department of Public Safety providing services to the Department of Juvenile Justice must be commissioned as state constables.

## LABOR, COMMERCE AND INDUSTRY

The full Labor, Commerce and Industry Committee did not meet last week.

## MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS

The Medical, Military, Public and Municipal Affairs Committee approved a joint resolution that reauthorizes the existence of the Department of Health and Environmental Control's Health Services Division.

## WAYS AND MEANS

The Ways and Means Committee recommitted H.3545, which repeals current law stating that if a taxpayer or his agent pays property taxes in error, or the payment is erroneously credited, the treasurer shall credit the amount paid against the actual liability of the taxpayer for the tax year in question. The committee gave a favorable recommendation, with amendments, to H.4072. This joint resolution provides that, with respect to employment security contributions, each employer subject to the provisions of Title 41 (Labor and Employment) of the Code of Laws of SC, 1976, as amended, is required to pay for the period of January 1, 1998 through December 31, 1998 at a contribution rate equal to 50% of the contribution rate determined for the period January 1, 1997 through December 31, 1997. The resolution expires December 31, 1998. The committee recommended an amendment providing that instead of reducing employer contributions by one-half, employer contribution rates will be set for one year (1998) using Schedule B rather than Schedule D, which reduces the rate that employers with a positive balance in the Unemployment Compensation Trust Fund must pay.



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This means that 9% of SC employers who have a negative balance in the fund would get a rate reduction. The committee also amended the bill by creating the Unemployment Insurance Study Committee, which would examine present unemployment tax rate structure and provide recommendations for modifying the current taxable wages, contribution rates, and fund balances so that the Trust Fund has adequate funds to meet future unemployment benefits needs in the event of an economic slowdown. The committee voted to make H.4072 a committee bill.

The committee gave a favorable report with amendment to H.4060. This bill amends the SC Income Tax Act by requiring that the Department of Revenue provide for and offer, at the election of the taxpayer, a process for direct deposit to the account of the taxpayer of an income tax refund due to the taxpayer because of income tax overpayment. The committee recommended an amendment to the bill requiring that the department absorb the costs of implementation so that there will be no fiscal impact.

The committee also gave a favorable report to S.622. This joint resolution authorizes the Department of Public Safety to retain and expend the motor carrier registration fees for fiscal year 1996-97. Motor carrier registration fees were retained and expended by the Public Service Commission prior to restructuring to support transportation-related enforcement programs. This authorization was previously provided for in provisos which were deleted in the 1996-97 Appropriations Act. With the deletion of the provisos, and the deposit of the collected motor carrier registration fees into the General Fund, the Department of Public Safety has no authorized or appropriated funds available to pay the transferred Public Safety Commission employees who now work for the Department of Public Safety.

## BILLS INTRODUCED

### EDUCATION AND PUBLIC WORKS

#### H.4112 *UNIFORM GRADING SYSTEM FOR PUBLIC SCHOOLS* Rep. J. Brown

This bill adds to the powers and responsibilities of the State Board of Education (the Board) by providing that by school year 1998-99, the Board shall establish a uniform grading system to be used by all public schools in South Carolina, with authorization to permit variations in grading between elementary and secondary schools and in other instances where variation is necessary due to curriculum differences.

#### H.4113 *SCHOOL DISTRICT SUPERINTENDENTS* Rep. Altman

This bill provides that a school district superintendent in South Carolina is prohibited from receiving any supplement or other consideration from any nongovernmental source for the performance of his duties. The bill also provides that any person who accepts, or any person who offers, such compensation is guilty of a misdemeanor and, upon conviction, will be fined a maximum of \$5,000, or imprisoned for a maximum of one year, or both.

## JUDICIARY

### **H.4115 CRITERIA IN PUBLIC EMPLOYMENT/EDUCATION/CONTRACTING**

**Rep. Limbaugh**

This bill provides that race, sex, color, ethnicity, and national origin may not be used as criteria for discriminating against or granting preferential treatment to individuals or groups in public employment, public education and public contracting.

### **S.195 SEALING OF VOTE RECORDERS** Sen. Holland

This bill eliminates a provision which requires a poll manager to furnish each vote recorder a seal for sealing the vote recorder after the polls are closed.

### **H.4117 LOSS OF PARENTAL CONSORTIUM** Rep. Bowers

This bill provides that a child who is seventeen years of age or younger or a permanently handicapped or incapacitated child may maintain an action for damages arising from an intentional or tortious interference of the parent-child relationship caused by a severe, serious, and permanent physical or mental injury to the parent. To maintain such an action, the child must have been dependent upon the parent for economic, emotional, and societal support before and at the time of the tortious interference of the relationship.

### **S.634 JUVENILE JUSTICE** Sen. Thomas

This bill enacts recommendations from the Governor's Juvenile Justice Task Force. The bill authorizes the Department of Juvenile Justice to establish a prison industries system. All funds collected by DJJ from the sale of articles produced in industry system must be used to defray the necessary expenses or operating the program and pay the salaries of personnel involved in the program and the wages of juveniles employed. The Committee amendment specifies that out of the wages paid to juveniles, the following must be deducted (with total deductions not to exceed eighty percent of gross wages): (1) state, federal and local taxes, (2) child support monies, where applicable, (3) funds for the compensation of victims, in an amount comprising no more than twenty percent and no less than five percent of gross wages. Of this victim compensation money, ninety-five percent must be used to compensate the victim(s) of the juvenile's crime and five percent must be submitted to the SC Victim's Compensation Fund. The Juvenile Parole Board is authorized to determine the conditions for parole for juveniles transferred from DJJ to another state agency due to mental illness or mental retardation requiring specialized care. Before the juvenile may be released from the agency providing appropriate care, that agency must submit a request to the Juvenile Parole Board and obtain the board's approval. The bill also authorizes the Juvenile Parole Board to conduct parole hearings via two-way closed circuit television.



## LABOR, COMMERCE AND INDUSTRY

### **H.4127 CALCULATION OF AVERAGE WEEKLY WAGE FOR WORKERS' COMPENSATION** Rep. Kirsh

This bill provides that a bonus awarded, given or paid to an employee may not be considered in calculating the average weekly wage in this state for the preceding fiscal year for workers' compensation purposes.

## WAYS AND MEANS

### **H.4119 COUNTY INDEBTEDNESS FOR REDEVELOPMENT PROJECTS** Rep. Miller

This joint resolution proposes an amendment to Section 14(10), Article X, of the SC *Constitution* authorizing the General Assembly to provide by law for counties to incur indebtedness for the purpose of redevelopment and to provide that the debt service for such indebtedness be provided from the added increments of tax revenues to result from such projects.

### **H.4120 TAX INCREMENT FINANCING ACT FOR COUNTIES** Rep. Miller

This bill, which if passed would be effective upon ratification of a constitutional amendment to Section 14, Article X of the SC Constitution, authorizing counties to incur indebtedness for redevelopment projects (see H.4119), provides for implementation of such authorization and provides for the payment of such indebtedness from added increments of tax revenues. "Redevelopment projects" are defined in the bill as any buildings, improvements, including street improvements, water, sewer and storm drainage facilities, parking facilities, and recreational facilities. Also, the bill provides that any project authorized under Section 6-21-50 (*Revenue Bond Act for Utilities - Authorized Public Works Which May be Purchased or Constructed*) may also qualify as a redevelopment project. All such projects are to be owned by the county.

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#### FOOTNOTE

The *Legislative Update* is on the Worldwide Web. Visit the South Carolina General Assembly Home Page ([www.lpitr.state.sc.us](http://www.lpitr.state.sc.us)) and click on the "Quick Find Guide." On the next screen, click on "*Legislative Update*." This will list all of the *Legislative Updates* by date. Click on the date you need.